

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of:

Application No.:	10/526,465	Examiner:	Chi Q. Nguyen
Filing Date:	March 3, 2005	Art Unit:	3635
First Inventor:	Ewald HOUBEN	Customer No.:	23364
Attorney No.:	HOUB3001/JEK	Confirmation No.:	8170

For: CONSTRUCTION ELEMENT AND METHOD FOR
MANUFACTURING IT

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is responsive to the Notice of Non-Compliant Amendment mailed November 13, 2008 regarding the above-identified application.

SUMMARY OF INTERVIEW

In a telephone interview conducted with the Examiner on November 18, 2008, the Examiner agreed to withdraw the Notice of Non-Compliant Amendment in view of the fact that the Amendment was in fact compliant with 37 CFR 1.121(c)(2). Specifically, this rule specifies:

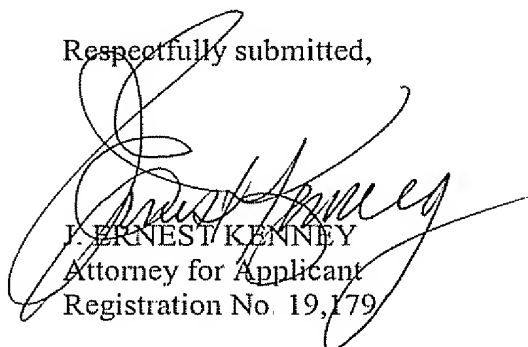
If a withdrawn claim is currently amended, its status in the claim listing may be identified as “withdrawn-currently amended”.

In view of the Examiner’s agreement to withdraw the Notice of Non-Compliant Amendment, the Notice is now moot.

The Examiner agreed to transmit confirmation of withdrawal of the Notice of Non-Compliant Amendment but to date Applicants' attorney has not received such confirmation. Accordingly, it was necessary to submit this paper to avoid abandonment of the application.

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Respectfully submitted,



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